Calendar No. 294

97TH CONGRESS 18T SESSION

H.R.4

IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 9), 1981 Received; placed on the calendar

AN ACT

- To amend the National Security Act of 1947 to prohibit the unauthorized disclosure of information identifying certain United States intelligence officers, agents, informants, and sources.
- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That this Act may be cited as the "Intelligence Identities
- 4 Protection Act".
- 5 SEC. 2. (a) The National Security Act of 1947 is
- 6 amended by adding at the end thereof the following new title:

prosecution for conspiracy to commit an offense under such section.

"(2) Paragraph (1) shall not apply (A) in the case of a 3

person who acted in the course of an effort to identify and

expose covert agents with the intent to impair or impede the

foreign intelligence activities of the United States by the fact

of such identification and exposure, or (B) in the case of a

person who has authorized access to classified information.

"(c) It shall not be an offense under section 601 to 9

transmit information described in such section directly to the

Select Committee on Intelligence of the Senate or to the Per-

manent Select Committee on Intelligence of the House of

Representatives. 13

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"PROCEDURES FOR ESTABLISHING COVER FOR 14.

INTELLIGENCE OFFICERS AND EMPLOYEES 15

"Sec. 603. (a) The President shall establish procedures 16

to ensure that any individual who is an officer or employee of

an intelligence agency, or a member of the Armed Forces 18

assigned to duty with an intelligence agency, whose identity 19

as such an officer. employee, or member is classified informa-20

tion and which the United States takes affirmative measures 21

to conceal is afforded all appropriate assistance to ensure that 22

the identity of such individual as such an officer, employee. 23

or member is effectively concealed. Such procedures shall

provide that any department or agency designated by the

1	President for the purposes of this section shall provide such
2	assistance as may be determined by the President to be nec-
3	essary in order to establish and effectively maintain the se-
4	crecy of the identity of such individual as such an officer,
5	employee, or member.
6	"(b) Procedures established by the President pursuant to
7	subsection (a) shall be exempt from any requirement for pub-
8	lication or disclosure.
9	"EXTRATERRITORIAL JURISDICTION
10	"Sec. 604. There is jurisdiction over an offense under
11	section 601 committed outside the United States if the indi-
12	vidual committing the offense is a citizen of the United States
13	or an alien lawfully admitted to the United States for perma-
14	nent residence (as defined in section 101(a)(20) of the Immi-
15	gration and Nationality Act).
16	"PROVIDING INFORMATION TO CONGRESS
17	"SEC. 605. Nothing in this title shall be construed as
18	authority to withhold information from Congress or from a
19	committee of either House of Congress.
20	"DEFINITIONS
21	"Sec. 606. For the purposes of this title:
22	"(1) The term 'classified information' means infor-
23	mation or material designated and clearly marked or
24	clearly represented, pursuant to the provisions of a
25	statute or Executive order (or a regulation or order

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